



DATE: 19 September 2018
MY REF: MIS/CCouncil
PLEASE ASK FOR: Mr. M. I. Seedat
DIRECT DIALLING: (0116) 305 2583
E-MAIL: mo.seedat@leics.gov.uk

Dear Sir/Madam

I summon you to the MEETING of the LEICESTERSHIRE COUNTY COUNCIL to be held at COUNTY HALL, GLENFIELD on WEDNESDAY, 26 SEPTEMBER 2018 at 2.00 p.m. for the transaction of the business set out in the agenda below.

Yours faithfully



Chief Executive

AGENDA

1. Chairman's Announcements.
1. (a) Report of the Returning Officer.
2. To confirm the minutes of the meeting of the Council held on 27 June 2018. (Pages 3 - 16)
3. To receive declarations by members of interests in respect of items on this agenda.
4. To answer questions asked under Standing Order 7(1)(2) and (5).

To dispose of business from the last meeting.

5. Report of the Constitution Committee.
 - (a) Review of Standing Orders (Meeting Procedure Rules). (Pages 17 - 20)
6. To receive position statements under Standing Order 8.

To consider reports of the Cabinet, Scrutiny Commission, Scrutiny Committees and other bodies:

7. Report of the Corporate Governance Committee.



- (a) Outcome of the Investigation by the Member Conduct Panel. (Pages 21 - 26)
8. To make the following appointment in accordance with item 12 of Standing Order 4:-
- (a) To appoint a parent governor representative to serve on the Children and Families Overview and Scrutiny Committee - Report of the Chief Executive. (Pages 27 - 38)
9. To consider the following notice/s of motion:
- (a) A New Unitary Structure for Local Government in Leicestershire - Mr S J Galton CC
- (a) That this Council:-
- (i) Notes with regret that the Leader's proposal to create a single Unitary Council for the whole of Leicestershire was announced by email and press release 2 days after the last Council Meeting on 27th June;
 - (ii) Expresses concern that the proposals are being drawn up by the Administration at County Hall without the involvement of all councils affected and not on a cross party basis;
 - (iii) Believes it is essential that any reorganisation ensures Local Government remains local and does not create a democratic deficit;
 - (iv) Believes that the preferred option being advocated by the Leader and the Cabinet fails to address the fundamental and historic underfunding of public services in Leicestershire;
 - (v) Notes that one of the stated drivers for change is the need to create a Strategic Alliance for the East Midlands although it is not clear what level of support this has outside Leicestershire and what benefits would result;
 - (vi) Notes that the 2014 Ernst and Young report commissioned by the County Council suggesting that savings of £31m could be achieved contained inaccuracies and that reorganisations elsewhere have failed to deliver the level of savings indicated in consultants' reports;
- (b) This Council therefore requests the Cabinet to reconsider the current process and commence a more open and inclusive process with representatives from all affected tiers to consider how Local Government can be improved in Leicestershire.

**MINUTES OF THE MEETING OF THE LEICESTERSHIRE COUNTY COUNCIL
HELD AT COUNTY HALL, GLENFIELD ON WEDNESDAY, 27 JUNE 2018**

PRESENT

Mr. L. J. P. O'Shea CC (in the Chair)

Mr. P. Bedford CC, Mr. I. E. G. Bentley CC, Mr. D. C. Bill MBE CC, Mr. R. Blunt CC, Mr. G. A. Boulter CC, Mr. S. L. Bray CC, Mr. L. Breckon JP CC, Dr. P. Bremner CC, Mr. M. H. Charlesworth CC, Mr. J. G. Coxon CC, Mr. B. Crooks CC, Dr. T. Eynon CC, Dr. R. K. A. Feltham CC, Mrs. H. J. Fryer CC, Mr. S. J. Galton CC, Mr. D. A. Gamble CC, Mr. T. Gillard CC, Mrs. A. J. Hack CC, Mr. D. Harrison CC, Dr. S. Hill CC, Mr. Max Hunt CC, Mr. D. Jennings CC, Mr. J. Kaufman CC, Mr. W. Liquorish JP CC, Mr. J. Miah CC, Mr. J. Morgan CC, Mr. M. T. Mullaney CC, Ms. Betty Newton CC, Mr. J. T. Orson JP CC, Mr. P. C. Osborne CC, Mr. I. D. Ould CC, Mrs. R. Page CC, Mr. B. L. Pain CC, Mr T. Parton CC, Mr. A. E. Pearson CC, Mr. T. J. Pendleton CC, Mr J. Poland CC, Mrs. P. Posnett CC, Mrs. C. M. Radford CC, Mr. J. B. Rhodes CC, Mr. T. J. Richardson CC, Mrs H. L. Richardson CC, Mrs. J. Richards CC, Mr. N. J. Rushton CC, Mrs B. Seaton CC, Mr. S. D. Sheahan CC, Mr. R. J. Shepherd CC, Mrs D. Taylor CC, Mr. G. Welsh CC, Mrs. A. Wright CC and Mr. M. B. Wyatt CC

11. CHAIRMAN'S ANNOUNCEMENTS.

HM Lord-Lieutenant, Mike Kapur OBE

The Chairman, on behalf of Members and Officers of the County Council, placed on record his heartfelt good wishes to Mike Kapur on his appointment as Her Majesty's Lord-Lieutenant of Leicestershire. Mike was a leading Leicestershire businessman who took a keen and active role in developing and promoting the City and County he made his home 28 years ago.

Visitors

The Chairman welcomed to the meeting all visitors and guests of members and anyone who was viewing the meeting via the webcast.

12. MINUTES.

It was moved by the Chairman, seconded by the Vice-Chairman and carried:-

“That the minutes of the meeting of the Council held on 16th May 2018, copies of which have been circulated to members, be taken as read, confirmed and signed.”

13. DECLARATIONS OF INTEREST.

The Chairman invited members who wished to do so to make declarations of interest in respect of items on the agenda for the meeting.

No such declarations were made.

14. QUESTIONS ASKED UNDER STANDING ORDER 7(1)(2) AND (5).

(A) Mr Boulter asked the following question of the Leader or his nominee:-

- “1. Can the Leader explain why the contract for grass cutting was taken from Blaby District Council when the work was satisfactory?
2. Why is the quality of cutting this year so poor?
3. What is the Leader going to do to rectify the situation?”

Mr Pain replied as follows:-

- “1. The agreement for Blaby District Council to carry out the work expired on 28th February 2018. There was no requirement for the agreement to continue when the County Council can carry out the service, the County Council’s service having seen evidence of significant improvements in 2017.
2. Unfortunately, no mapping or route information was provided by Blaby District Council to the County Council and it was therefore necessary in advance of this year’s grass cutting season for the County Council to undertake digital mapping. I am afraid this absence of information has inevitably meant some grassed areas being excluded. It has also become apparent that Blaby District Council had been cutting grassed areas which are not part of the public highway and should not be being cut out of County Council funds. This is likely to have been a reason for some complaints.
3. Pending a proper digital database being created using knowledge accumulated this year, an instruction has been given to cut areas which are ‘in dispute’ for the remainder of the 2018 grass cutting season.”

Mr Boulter asked the following supplementary question:-

“I thank Mr Pain for his answers. However, he didn’t answer the question I asked. The question I asked was question number two: “why is the quality of grass cutting this year so poor”? He chose not to answer that question. Now, unless he’s been to the district I represent he won’t have seen it. It’s absolutely disastrous, we’ve got haystacks in parts of the area where the grass has been piled up by the mowers, it could well catch fire if something doesn’t happen soon and so I’d like the answer to the question please.”

Mr Pain replied as follows:-

“I believe we have answered the question, especially in point two. We have explained that, in the Blaby area, we have bought this back in-house. That’s good for the Leicestershire taxpayer because of the economies of scale. As all members know, we now do our own grass cutting rather than subcontract it out. I have had some very positive comments about grass cutting this year in other areas. With reference to Blaby and the Blaby area and the Oadby and Wigston area, that has now been brought back in-house but, as you

know, we have a great service where people can find out what areas are being cut in their area online. We don't have that digital information for Blaby and the Oadby area. We have answered the question directly; because we don't have the digital database at the moment we are suffering some issues in that particular area but, generally speaking, we have a good quality service in Leicestershire and I do believe that we have answered the question in point two."

(B) Mr Charlesworth asked the following question of the Leader or his nominee:-

- “1. Is the County Council still paying any recycling credits to Districts?
2. If so, which Districts are still being paid and how much is paid and for how long will the payments continue to be made?
3. What advice did County Council take on its proposal to withdraw recycling credits and who from?
4. In the report on dry recycling credits that went to Cabinet on 16th September 2016, option 4 was approved. However, the Districts wanted option 2. This means that the Waste Disposal Authority (County Council) and the Waste Collection Authorities (District Councils) did not agree that payments should not be made. Will the County Council review that mistaken decision?”

Mr Pain replied as follows:-

- “1. Yes.
2. The objection and direction notices that were issued following the Cabinet decision of 16th September 2016 came/will come into effect between 1st April and 1st October 2018 depending on the end dates of the districts existing recycling contracts. Recycling credits will continue to be paid until the effective date of the notices. At the current time the only district still receiving recycling credits is Melton Borough Council.

All districts will continue to receive recycling (or reuse) credits for materials that are not within the scope of the issued objection / direction notices or any local agreements.

The recycling credit rate is £56.14 per tonne in 2018/19.

3. The County Council took advice from the Director of Law and Governance, a leading counsel (Q.C.) and a waste management consultant.
4. No.”

(C) Mr Bill asked the following question of the Leader or his nominee:-

“In the recently published report on the A5 Strategy – “Supporting Growth and Movement in the Midlands 2018 – 2031”, a report which will be generally

supported by everyone, there is a reference towards the back of the report to the "Action Plan for Delivering Improvements along the A5 Corridor". On page 8 of this action plan there is a reference to a statement dealing with Nutts Lane, attributed to Leicestershire County Council, that there is "insufficient evidence to suggest that HGVs are using it as an alternative route to and from the A5.....".

As is this totally contrary to what is happening on the ground, as will be borne out by all the residents who have to live with these vehicles on a daily basis, can the evidence (I will be more than pleased to supply this evidence) that this road is indeed being used as a short cut to avoid congestion at the Dodwells Bridge Roundabout please be taken into account and this passage in the report revised?"

Mr Pain replied as follows:-

"The report to which you refer was produced by Hinckley and Bosworth Borough Council and was considered by their Council on 12th June 2018. It refers to a draft Action Plan (Appendix C of that report) that is still being considered by the A5 Partnership, along with the draft A5 Strategy. The quote to which you refer on page 8 is not attributed to Leicestershire County Council (it shows the 'delivery responsibility').

The report also noted in paragraph 3.13 that *'The A5 Strategy Action Plan is a rolling document that will be updated frequently during the life of the Strategy'*. The draft Action Plan is being updated by relevant parties of the A5 Partnership and your additional evidence would be welcomed to feed into this update. If appropriate the County Council will suggest updates to this action plan for areas where it is currently listed as having 'delivery' responsibility."

(D) Mr Bill asked the following question of the Leader or his nominee:-

"At the Scrutiny Commission meeting on 6th June, there was a report entitled Leicestershire Towns which advised on County Council activity supporting the development and economic prosperity of Leicestershire Towns. In the reference to Hinckley there is an assertion that "Traffic conditions have improved following implementation of zones 1 – 3". Whilst conditions might have improved for walkers and cyclists, traffic conditions as a whole across Hinckley and Burbage grow worse by the day. Can I please ask to see the evidence on which this assumption is based as it is contrary to everything we are witnessing here in the town?"

Mr Pain replied as follows:-

"In paragraph 46 of the report, it states that "Traffic conditions have improved following implementation of zones 1 – 3". £5.96 million of improvements for pedestrian and cyclists, along with improvements to parking have led to increased numbers of pedestrians and cyclists using roads in Hinckley.

The trend for all market towns has been an increase in congestion, primarily in peak periods. However, the study of congestion in Hinckley between 2016 and 2017 using the latest available Department for Transport data indicates

that traffic speeds have increased on a number of the roads where improvements were made as part of zones 1 – 3. For example, on Coventry Road and Rugby Road where improvements were made to off road infrastructure for walking and cycling, average traffic speeds have increased.

Roads identified in zone 4 show no improvement and support the case for the Council to continue to look to secure funding for the measure set out in the £15.89 million package of measures in zone 4. The Council has already secured £5.73 million of funding towards these measures, which, if the remaining funding can be secured, will be implemented by 2019/2020.”

Mr Bill asked the following supplementary question:-

“First of all, I do welcome the reply in as much as it says that traffic speeds have increased on roads, and particularly along Coventry Road and Rugby Road, as it's been my concern for the last 45 years to try to keep the speeds down on those roads. I look forward to the evidence on which that is based. I also would just draw attention to my original question, which was to ask to see the evidence on which the assumption is based that traffic conditions have improved across the town. In particular, I would like to ask that evidence is taken into account of the queues of traffic getting in and out of the town at peak times and other times of the day because this has increased. I think people will not agree with the statement which has been made by the County Council that traffic conditions in Hinckley have recently improved.”

Mr Pain replied as follows:-

“Just a general point, when this investment was made, Liberal Democrat members were clambering over themselves to take the credit for the initial investment into zones 1 – 3. We have already put on record that we would like to make further investment in terms of zone 4 and we're pursuing funding for that. We have some of it. I have to say the data has come from the Department for Transport themselves. Traffic flows have increased, therefore that is an improvement on what it used to be. I believe we've answered the question once again by stating this data has come from the Department for Transport.”

15. POSITION STATEMENTS UNDER STANDING ORDER 8.

The Leader gave a position statement on the following matters:-

- Leicestershire-China Strategy to boost trade;
- Strategic Growth Plan;
- Trading Standards – Scams Intervention Team;
- Health Scrutiny;
- Loughborough University – Lawn Tennis Association National Academy;
- Influential Women in Government Technology.

The Lead Member for Environment and Transport gave a position statement on the following matters:-

- Highway Performance;
- Recycling and Households Waste Sites Satisfaction Survey;
- Melton Mowbray Distributor Road;
- Awards.

A copy of the position statements is filed with these minutes.

16. REPORT OF THE SCRUTINY COMMISSION.

(a) Overview and Scrutiny Annual Report 2017/18.

It was moved by Mr Galton, seconded by Mrs Page and carried unanimously:-

“That the information contained in the Overview and Scrutiny Annual Report 2017/18, attached as Appendix 1 to this report, on its activities, be noted.”

17. REPORT OF THE CONSTITUTION COMMITTEE.

(a) County Council Meeting in March - Revision to the Constitution.

It was moved by Mr Rushton and seconded by Mr Shepherd:-

“Motion 1

- (a) That the recommendation of the Constitution Committee to dispense with the meeting of the County Council in March and to allow ordinary business to be transacted at the February meeting of the Council be approved;

Motion 2 - Procedural Motion in accordance with Standing Order 37

- (b) That the changes to Standing Order 1 (The Meeting Procedure Rules), to give effect to the recommendation of the Constitution Committee, be approved.”

(NOTE Standing Order 37 requires that this procedural motion, having been moved and seconded, stands adjourned until the next ordinary meeting of the Council.)

2.00 pm – 3.25 pm
27 June 2018

CHAIRMAN

COUNTY COUNCIL MEETING – 27TH JUNE 2018

POSITION STATEMENT FROM THE LEADER OF THE COUNCIL

Leicestershire China Strategy to boost trade

On the 11th June I hosted an event to celebrate the 30th anniversary of our twinning relationship with one of the largest and fastest growing provinces in China, Sichuan. This is, I understand, the longest twinning relationship with a Chinese province in the UK and I had the pleasure of welcoming Director General Huang and senior representatives from the People's Government of Sichuan Province, along with Minister Counsellor Jin from the Economic and Commercial Counsellor's Office of the Chinese Embassy.

Sir John Peace, Chair of the Midlands Engine joined me in hosting the celebration along with our Chairman, Mr O'Shea, the City Mayor, Loughborough University Vice Chancellor (Professor Bob Allison), Pro Vice Chancellors from both Leicester and De Montfort Universities and the Vice Chair of the LLEP. The celebration was attended by over 100 delegates including senior representatives from local authorities, universities and the business community. Along with celebrating the past relationship and considering future collaborative opportunities, we were privileged to witness performances of traditional Chinese folk songs and Sichuan Opera face changing performances.

At the event we also launched our Leicestershire-China Strategy which aims to capitalise on the growing number of opportunities for developing greater trade and investment, whilst building on our already strong regional links. The strategy, developed in partnership through the Leicestershire China Forum, will help bolster educational and sporting links, build on tourism opportunities and open the door for more companies in Leicester and Leicestershire to do business with China. We are already seeing positive outcomes from this visit including discussions between East Midlands Airport and Sichuan on future cargo opportunities. I am very positive about the benefits to Leicestershire from this relationship, especially as we strive to develop greater international links to strengthen our position beyond this country leaving the EU. Director General Huang very kindly invited me to visit Sichuan in 2019 and I will work closely with local businesses and partners, and Sir John Peace, to consider how we can bring tangible benefits to the Leicestershire economy by making such a visit.

Strategic Growth Plan

I continue to be impressed by the work of the Member's Advisory Group (MAG) which is overseeing the preparation of the Strategic Growth Plan (SGP) for Leicester and Leicestershire. By looking as far ahead as 2050, and by commissioning high quality evidence to underpin its proposals, the MAG has been able to develop a visionary yet credible plan for future growth in the city and county. It is important to remember that the scale of growth being proposed in the Plan is growth national

Government will require us to accommodate. It's not about whether; it's about how. I am therefore pleased to see that the proposals in the SGP protect our towns and villages by concentrating future housing and employment in strategic locations associated with new infrastructure such as the A46 Expressway. I am also aware that these plans are impressing key decision-makers in Government and agencies like Homes England, the Midlands Engine and Midlands Connect. This will, I believe, stand us in good stead in securing the funding we need to deliver infrastructure essential for our existing and potential new communities, and to drive forward the growth of the local economy for the benefit of local businesses and residents. Given the SGP is consistent with Government policy, will support economic and housing growth in a sustainable way, will help us secure critical funding, and protects our town and villages from substantial future development pressure I urge the county's MPs to do all they can to support the Plan.

Trading Standards - Scams Intervention Team

Over the last financial year our Trading Standards Scams Intervention Team, collaborating with colleagues in Adults and Communities, provided continued support to over 200 victims of postal, telephone and doorstep scams. These successful interventions prevented the victims incurring further losses. Officers estimated the collective loss to be over £500,000.

In one recent example officers identified an 87 year old Leicestershire resident living alone, who had for some time been bombarded with junk mail. The outcome was a spare bedroom full of unopened packages containing limited edition products and clothing. The victim had made these purchases because, for her, it was a connection to the outside world, an opportunity to chat to the delivery drivers. Unfortunately it absorbed £35,000 of her life savings and sadly now has insufficient means to contribute towards her care.

June is Scams Awareness Month and as part of this campaign the County Council will become a 'Friends against Scams Organisation'. Staff and members will be encouraged to undertake a short online training session aimed at raising awareness around scams: awareness which I hope will then be imparted to others on a professional and personal level. Sadly it is often the case that family members are completely unaware that a relative has become a victim. Alongside the launch I have agreed to act as an Ambassador for the Friends against Scams initiative and I hope all members will support this initiative.

I am also pleased to report that given the success of the Scam Intervention Team the Adults and Communities Service has agreed to provide funding to Trading Standards in 2018/19 to enable this initiative to continue.

Health Scrutiny

Members will be aware of the spending pressures on the NHS and the need for our local NHS bodies to find efficiency savings within their budget.

It was therefore disappointing to read that the two Clinical Commissioning Groups in the County who between them have to find about £40million of savings in this financial year do not yet have firm plans to find these savings. All this came to light as a result of some robust scrutiny by the Health Overview and Scrutiny Committee and I wholly concur with their view that this state of affairs is unacceptable and that there is an urgent need for clarity about the impact on patients of these savings.

A key point made by the Health Overview and Scrutiny Committee was that savings should be targeted to back office staff and management costs. So it is disappointing to then find out that the CCGs have spurned the opportunity to merge their senior management structures. Personally I would urge them to have a full merger of the CCGs not just the senior management structure and make some real savings which could be reinvested in frontline services.

Loughborough University – Lawn Tennis Association National Academy

I am delighted to inform the Council that Loughborough University has finalised a deal with the Lawn Tennis Association (LTA) to become one of two national academies. Loughborough will be by far the bigger.

This multi-million pound deal is the biggest ever single investment in sport at Loughborough and brings yet another National Governing Body onto the campus, joining the likes of British Athletics, British Swimming, British Triathlon and England Netball.

The national academy which is due to open in September 2019 will nurture 14-18 year olds (and sometimes younger). Players who demonstrate the greatest potential in the sport will be selected and supported with world-class coaching, science, medicine and welfare experts whilst also being provided with excellent mainstream education up to at least GCSE level.

N. J.Rushton

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COUNTY COUNCIL – 27 JUNE 2018
ADDENDUM TO THE LEADER’S POSITION STATEMENT

Influential Women in Government Technology

I am delighted to report that four of the council's female employees feature in a list of the most influential women in government technology.

The initiative, run by GovTech highlights women across the public sector who are leaders, trailblazers and transformers.

The long list features nominations for:

- Ann Carruthers, Director, Environment and Transport
- Cheryl Davenport, Director, Health and Care Integration
- Jayne Glasgow, Chief Digital and Information Officer
- Jo Morrison, Head of Communications and Digital

Voting is now open for the final list. You can vote for three women and I encourage all members to vote so that our council features in the top ten. Voting closes at 5pm on Friday 6 July.

Follow this link to vote now: <https://www.govtechleaders.com/Female-GovTech-Leaders-2018-who-gets-your-vote>

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COUNTY COUNCIL MEETING – 27TH JUNE 2018

POSITION STATEMENT FROM THE CABINET LEAD MEMBER FOR ENVIRONMENT AND TRANSPORT

Highway Performance

The structural condition of Leicestershire's roads remains amongst the best in the Country. The latest Department for Transport (DfT) road condition statistics show that no authority in England had better road condition across all classifications (A, B, C and unclassified) in 2016/17. All authorities with better Non-Principal (B and C class) road condition have significantly shorter networks than us and only one authority with better Unclassified road condition has a longer network than Leicestershire. No county council had better road condition in any classification in 2016/17.

Recycling and Households Waste Sites (RHWS) Satisfaction Survey

I wanted to take this opportunity to advise members of the results of the customer satisfaction survey of our RHWS service. The survey was conducted in September 2017, following the commencement of direct management of the sites from the start of July and involved face-to-face surveys at each of the fourteen RHWS, with a total of 3,675 respondents.

The survey found that 98.9% were either "fairly" or "very" satisfied with the service received at the site overall. Site users were particularly complimentary of site cleanliness and the helpfulness of site staff.

These results are particularly positive in view of the fact that we have only recently taken the services in-house and are a strong endorsement of our performance across this service area.

Melton Mowbray Distributor Road

Members will be aware that the County Council has been successful in its application to the Department for Transport for £49.5m funding towards construction of the Melton Mowbray Distributor Road. The success of the bid is the culmination of a substantial amount of cross team and indeed departmental work to get the result against very tight deadlines. Delivered by the Asset and Major Programmes team working closely with Strategy and Policy, Highway and Structural Engineering and

Network Data and Intelligence teams, external consultants and Melton Borough Council this is a terrific example of partnership working. The next phase of the scheme will see the submission of a planning application later this year with construction beginning in 2020.

Awards

Finally, I am pleased to advise that Environment and Transport Department has received three prestigious awards in the last month.

1. Our work on the Lubbethorpe Strategic Employment Site infrastructure has been recognised and won top prize in the Team Work category from East Midlands Institute of Civil Engineers.
2. We have been **Commended** in the Chartered Institute of Highways and Transport and Tarmac Collaboration Award 2018. Our submission was for the Medium Schemes Framework 2 which is a framework operated by the Midlands Highway Alliance with a number of contractors which allows Leicestershire and the other MHA authorities to effectively procure and deliver medium sized highway projects.
3. Finally, one of our transport modelling staff, Sonny Tolofari, has been awarded the Life Time Achievement award by Transport Modelling World 2018, the industry leader. This is a major accolade for Sonny as well as a significant endorsement of Leicestershire's transport modelling capability.

B. Pain CC

REPORT OF THE CONSTITUTION COMMITTEE

A. REVIEW OF STANDING ORDERS (MEETING PROCEDURE RULES)

Introduction

1. This report concerns proposed changes to the Council's Standing Orders (Meeting Procedure Rules), a procedural motion on the proposals having been moved and seconded at the last meeting of the Council to meet the requirements of Standing Order 37.

Background

2. At the last meeting of the Council approval was given to recommendations set out in a report of the Constitution Committee on various changes to the Council's Constitution to dispense with the meeting of the County Council in March and to allow the consideration of ordinary business at the February (Budget) meeting. The report included proposed changes to Standing Order 1 (Meeting Procedure Rules).
3. Any motion to add, vary or revoke Standing Orders must, having been proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. Accordingly, at the last meeting of the Council such a motion was duly moved and seconded.
4. Appendix A to this report sets out the revised Standing Order1 to give effect to the decision of the Constitution Committee. Appendix B to this report sets out the dates of County Council meetings until December 2019

(A motion to the following effect, moved by Mr Rushton and seconded by Mr Shepherd, stands adjourned from last meeting:

That the changes to Standing Order 1 (the Meeting Procedure Rules), as set out in Appendix A to the report of the Constitution Committee, be approved.)

**N J Rushton
Chairman**

Background Paper

Report of the Constitution Committee to the County Council on 27th June on the Review and Revision of the Constitution.

Part 4A - Meeting Procedure Rules**STANDING ORDER 1*****Meetings of the County Council***

- (1) The annual meeting of the Council shall be held:-
 - (a) in the year of the ordinary election of councillors to the Council, on the second Wednesday after the day of election;
 - (b) in any other year, on any Wednesday in May.
- (2) In addition to the annual meeting of the Council and any meetings convened by the Chairman or by members of the Council, meetings for the transaction of general business shall be held on such days as may be determined by the Council at its annual meeting on the recommendation of the Executive provided that a date so determined may be varied by the Executive.*
- (3) In these Standing Orders "ordinary meeting" means a meeting described in paragraph (1) or (2) above other than a meeting convened by the Chairman or by members of the Council.
- (4) In addition to the ordinary meetings a meeting of the Council shall be held in the month of February, on a date to be fixed by the Council, to consider the budget for the ensuing financial year, and for the Chairman's announcements, the report of the Returning Officer, the confirmation of the minutes of the last meeting of the Council, the asking of questions under Standing Order 7 and the consideration of motions, notice of which has been given under Standing Order 10.
- (5) Unless the Council otherwise determines, all meetings of the Council shall be held at 2.00 p.m. other than a meeting on a Saturday which shall be held at 10.00 a.m. provided that the time may be varied by the Chairman following consultation with Group Leaders.

*[*Under paragraph 3 of Schedule 12 of the Local Government Act 1972 an extraordinary meeting of the Council may be called at any time by the Chairman of the Council. There is also provision for such a meeting to be requisitioned by any five members of the Council.]*

APPENDIX B**COUNTY COUNCIL MEETINGS**

Wednesday, 5th December 2018

Wednesday, 20th February 2019

Wednesday, 15th May 2019

Wednesday, 10th July 2019 (provisional)

Wednesday, 25th September 2019 (provisional)

Wednesday, 4th December 2019 (provisional)

{Note:- the County Council at the Annual Meeting on 15th May 2019 will be asked to agree dates for the period up to the Annual Meeting in 2020 and provisional dates up to May 2021.}

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REPORT OF THE CORPORATE GOVERNANCE COMMITTEE

A. OUTCOME OF INVESTIGATION OF A COMPLAINT AGAINST MR CHARLESWORTH BY THE MEMBER CONDUCT PANEL

Introduction

1. This report concerns the outcome of the investigation of complaints made against Mr Charlesworth arising from comments he made at the County Council meeting on 27th September 2017 and the decision of the Corporate Governance Committee on this matter.

Background

2. Complaints were made against Mr Charlesworth regarding comments he made at the County Council meeting on 27 September when the report of the Independent Remuneration Panel on Member Allowances was considered. The complaints alleged that Mr Charlesworth failed to show respect and courtesy towards the three independent members of the Panel.
3. The complaints were first referred to the Member Conduct Panel in December 2017 following an initial assessment and early assessment undertaken by the Monitoring Officer in accordance with the Council's approved Procedure for dealing with allegations of a breach of the Members' Code of Conduct. The Panel agreed that the complaints should be referred for investigation.
4. An independent investigator was subsequently appointed to conduct the investigation (Mr Jonathan Goolden of Wilkin Chapman LLP). His report and findings were received in May 2018 and thereafter referred to the Panel for consideration.
5. The Panel met on 26th June 2018. Mr Charlesworth did not attend, but taking account of his request for the Panel to carry on regardless of whether or not he attended, the Panel resolved to proceed in his absence. The Panel also agreed for the hearing to proceed in public, having taken account of Mr Charlesworth submission prior to the meeting that this should be the case.
6. The investigator attended to present his report and the independent person appointed in this case also attended to give her views.

Decision of the Member Conduct Panel

7. The Panel unanimously agreed that it had been proven that Mr Charlesworth had breached paragraph 3.1 (you must treat others with respect) and 3.5 (you must not conduct yourself in a matter which could reasonably be regarded as bringing your office or the Authority into disrepute) of the Members' Code of Conduct when, at the meeting of the full County Council held on 27th September 2017, he made comments which called in to question the independence of the three members of the Independent Remuneration Panel who were not present at the meeting. These comments were unwarranted, unjustified and personalised, did not treat the Panel members with respect and thereby brought the office and the Authority into disrepute.
8. Having made the above decision, the Panel then decided unanimously to impose the following sanctions:
 - a) That the Monitoring Officer write a formal letter to Mr Charlesworth setting out the decision of the Panel, the sanctions it has imposed, and its disappointment at having to make the decision that the Code of Conduct has been breached. A copy of this letter will be published on the Council's website and displayed on Mr Charlesworth's webpage for a year.
 - b) That Mr Charlesworth send a letter of apology to each of the three members of the Independent Remuneration Panel within 14 days of receipt.
 - c) That Mr Charlesworth make a public apology to the members of the Independent Remuneration Panel and the Council at the Council meeting to be held on 26th September 2018.
 - d) That Mr Charlesworth undertake training to be organised by the Monitoring Officer on the Code of Conduct and in particular, the standards expected of members during meetings.
9. The formal letter referred to in (i) above was sent to Mr Charlesworth on Tuesday 3rd July and has been published on the Council's website and displayed on Mr Charlesworth's webpage. Attached to this were the three letters of apology to be sent to the members of the Independent Remuneration Panel as referred to in (ii) above.

Deliberations at the Corporate Governance Committee

10. The Corporate Governance Committee was advised that on 8th July, Mr Charlesworth sent an email acknowledging receipt of the formal letter and indicating that he would not make the apology or undertake training as

ordered by the Member Conduct Panel. No further communication was received on the matter.

11. The Corporate Governance Committee noted the position taken by Mr Charlesworth and decided as follows:-
 - (a) That the unanimous decision of the Member Conduct Panel that Mr. M. H. Charlesworth CC had breached the Council's Members' Code of Conduct in that his comments made at the County Council meeting held on 27th September 2017 which questioned the independence of three members of the Independent Remuneration Panel (IRP) were 'unwarranted, unjustified and personalised', did not treat members of the IRP with respect, and thereby brought the Authority into disrepute, be noted;
 - (b) That the response received by the Monitoring Officer from Mr. Charlesworth to the findings of the Member Conduct Panel and his decision to refuse to apologise to the members of the IRP as ordered by the Panel be noted with disappointment and regret;
 - (c) That the County Council be advised of the outcome of the meeting of the Member Conduct Panel held on 26th June 2018 following the investigation into the conduct of Mr. Charlesworth, and of his refusal to accept the Panel's findings and decision not to apologise for his conduct;
 - (d) That in view of the fact that Mr. Charlesworth's conduct had brought the Authority into disrepute, the full Council be asked to agree an apology to the members of the IRP.
12. Mr Charlesworth was advised of the decision of the Corporate Governance Committee on 26th July 2018.

Update from the Monitoring Officer

13. *On 5th September, 2018 Mr Simon Galton, Leader of the Liberal Democrat Group emailed the Monitoring Officer on the matter. In order that members of the Council are aware of all relevant issues on this matter an extract from that email is appended to this report as Appendix A.*

(Motion to be moved)

- (a) That the unanimous decision of the Member Conduct Panel that Mr. M. H. Charlesworth CC had breached the Council's Members' Code of Conduct in that his comments made at the County Council meeting held on 27th September 2017 which questioned the independence of three members of the Independent Remuneration Panel (IRP) were 'unwarranted, unjustified and personalised', did not treat members of the IRP with respect, and thereby brought the Authority into disrepute, be noted;**
- (b) That the response received by the Monitoring Officer from Mr. Charlesworth to the findings of the Member Conduct Panel and his decision to refuse to apologise to the members of the IRP as ordered by the Panel be noted with disappointment and regret;**
- (c) That in view of the fact that Mr. Charlesworth's conduct had brought the Authority into disrepute and his failure to accept the finding of the Member Conduct Panel and apologise the full Council be asked to agree an apology to the members of the IRP).**

**Mr P. Bedford
Chairman**

25th July 2018

Background Papers

Report of the Director of Law and Governance to the Corporate Governance Committee on the operation of the Members' Code of Conduct in 2017/18.

APPENDIX A

Dear Lauren,

I write further to our discussion regarding the above member conduct complaint and our subsequent emails.

A meeting of the Liberal Democrat group took place yesterday at which the matter was discussed in accordance with our standing orders. The outcome of the meeting was that Michael would be suspended from the Liberal Democrat Group for a period of 28 days. This takes effect immediately and I have informed Graeme Wardle of the decision and asked him to make arrangements to stop Michael's allowances as Group Whip and Member of the CFA this month.

Regards

Simon Galton

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COUNTY COUNCIL MEETING – 26th SEPTEMBER 2018**REPORT OF THE CHIEF EXECUTIVE****A. PARENT GOVERNOR REPRESENTATIVES TO SERVE ON LOCAL AUTHORITY COMMITTEES DEALING WITH EDUCATION**

The Education (Parent Governor Representatives) Regulations 1999, and Education Circular 13/99 require parent governor representatives to be elected to serve on local authority committees that consider education matters.

The County Council's Constitution (Overview and Scrutiny Rules Part 4E, Rule 5 (a)) provides for two parent governor representatives to serve on the Children and Families Overview and Scrutiny Committee. The term of office for parent governor representatives will be four years, to run co-terminously with the election of the County Council.

In 2017, through the Governor Support Service, nominations were invited from eligible parent governors but none were received. Following a further request only one nomination was received, from Mr David Ryan of Elizabeth Woodville Primary School in Groby, so no formal election was required.

In accordance with the Regulations and the County Council's procedure, the successful candidate must be formally appointed by the County Council.

The Children and Families Service will be undertaking a further exercise seeking to fill the remaining vacancy in the near future.

(Motion to be moved:

That Mr David Ryan be appointed as a co-opted member of the Children and Families Overview and Scrutiny Committee (or other appropriate scrutiny committee dealing with Education) for the period ending May 2021).

J. Sinnott

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